

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FINDTHEBEST.COM, INC.,

Plaintiff,

-against-

LUMEN VIEW TECHNOLOGY LLC, *et al.*,

Defendants.

Case No. 13-cv-6521 (DLC)

DECLARATION OF CARL RIEHL

Carl Riehl declares under penalty of perjury as follows:

1. I am Counsel to Debevoise & Plimpton LLP, attorneys for DecisionSorter, LLC, The Hillcrest Group, Inc., Eileen Shapiro, and Steven J. Mintz in the above-captioned action. I submit this declaration in support of defendants' motion to dismiss plaintiff's amended complaint in this action.

2. A true and correct copy of the amended complaint is attached as Exhibit A.

3. A true and correct copy of an Interview Summary and Response dated August 19, 2004 filed by the inventors during the prosecution of U.S. Patent App. No. 09/538,556, now U.S. Patent No. 6,915,269 (the "'269 Patent'"), is attached as Exhibit B. The '269 Patent is a parent, twice removed, of U.S. Patent No. 8,069,073 (the "'073 Patent'"), which is the subject of the amended complaint. The complete prosecution file history for the '269 Patent can be accessed through the Internet at <http://portal.uspto.gov/pair/PublicPair>, which is a website maintained by the U. S. Patent and Trademark Office.

4. A true and correct copy of the '269 Patent is attached as Exhibit C. A copy of the '269 Patent is available at a website maintained by the U.S. Patent and Trademark Office at:

<http://pdfpiw.uspto.gov/.piw?Docid=06915269&homeurl=http%3A%2F%2Fpatft.uspto.gov%2Fnetacgi%2Fnph-Parser%3FSect1%3DPTO1%2526Sect2%3DHITOFF%2526d%3DPALL%2526p%3D1%2526u%3D%25252Fnethtml%25252FPTO%25252Fsrchnum.htm%2526r%3D1%2526f%3DG%2526l%3D50%2526s1%3D6915269.PN.%2526OS%3DPN%2F6915269%2526RS%3DPN%2F6915269&PageNum=&Rtype=&SectionNum=&idkey=NONE&Input=View+first+page>

5. A true and correct copy of an Office Action dated March 25, 2011 issued by the Examiner during the prosecution of U.S. Patent App. No. 12/754,291, now the '073 Patent, is attached as Exhibit D. The complete prosecution file history for the '073 Patent can be accessed through the Internet at <http://portal.uspto.gov/pair/PublicPair>, which is a website maintained by the U. S. Patent and Trademark Office.

6. A true and correct copy of the Joint Disputed Claim Terms Chart Pursuant to Local Patent Rule 11 dated September 27, 2013 filed in *Lumen View Technology LLC v. FindTheBest.com, Inc.*, 13-cv-03599 (DLC) (S.D.N.Y.) [Dkt. 26] is attached as Exhibit E.

Dated: New York, New York
December 23, 2013

/s Carl Riehl
Carl Riehl